

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

REX CHAPPELL,

No. 2:04-cv-1183 TLN AC (TEMP) P

Plaintiff,

ORDER

v.
C.K. PLILER, et al.,

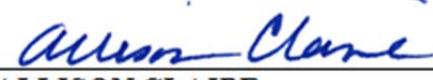
Defendants.

Plaintiff is a state prisoner proceeding pro se with this civil rights action brought pursuant to 42 U.S.C. § 1983. On October 5, 2015, defendants filed a motion for summary judgment pursuant to Federal Rule of Civil Procedure 56. The court has granted plaintiff two extensions of time to file an opposition to defendants' motion. Most recently, on January 27, 2016, the court granted plaintiff a final fifteen-day extension of time. The time for filing his opposition has now expired, but plaintiff has not filed an opposition or otherwise responded to defendants' motion.

Local Rule 230(l) requires plaintiff to file an opposition not more than twenty-one (21) days after the date of service of a motion. "Failure of the responding party to file written opposition or to file a statement of no opposition may be deemed a waiver of any opposition to the granting of the motion . . ." Plaintiff is reminded that Local Rule 110 provides that failure to comply with the Local Rules "may be grounds for imposition of any and all sanctions authorized by statute or Rule or within the inherent power of the Court."

1 In the interest of justice, IT IS HEREBY ORDERED that, within fourteen (14) days of the
2 date of this order, plaintiff shall file an opposition, if any, to defendants' motion for summary
3 judgment. Failure to file an opposition will be deemed as a statement of non-opposition and shall
4 result in a recommendation that this action be dismissed pursuant Federal Rule of Civil Procedure
5 41(b). Alternatively, if plaintiff no longer wishes to pursue this action he may file a request to
6 voluntarily dismiss this case.

7 DATED: April 22, 2016

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9 ALLISON CLAIRE
10 UNITED STATES MAGISTRATE JUDGE

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